

Claim Rejections - 35 USC § 102

Claims 1, 3-7, 10-11 and 16 are rejected under 35 USC §102(b) as being anticipated by Aginar. The Examiner provides that Aginar shows the use of at least one support member (the front and rear legs) "emanating consistently" from each rib unit, interconnecting means (51, 52, 54) and spacer means (41-42). This rejection is respectfully traversed.

Applicant claims, in new Claim 17, a furniture piece "wherein each supporting member emanates consistently among the rib units from the same side of the rib units." Applicants language, including "emanates consistently among" and "from the same side of the rib units" is intended to mean that all ribs having support members have them emanating from the same side of the furniture piece. This can be seen, for example, in Figure 1 in which all support members 26 emanate from the front portion of the rib units or furniture piece. Aginar shows support members emanating from both the front and rear of its furniture pieces. Nowhere in Aginar is it disclosed that it is possible to support a piece of furniture by having support members emanating from only one side of a furniture piece. Similarly, Thebaud also shows support members emanating in different directions from different ribs or portions thereof. For example, Thebaud Figure 5 show ribs having support members emanating from the front of the chair and other ribs emanating from the back of the chair, as opposed to Applicants' claimed "same side of the rib unit."

Draxler also does not disclose supporting a piece of furniture by support members emanating from only one direction. In all of Draxler's disclosed embodiments, support members emanate from both the front and the back of the chairs.

Accordingly, Aginar, Thebaud and Draxler do not disclose or suggest that which is claimed by Applicants in claim 17. Claims 18-29 depend on claim 17, and therefore, are also patentable over the aforementioned references. Withdrawal of the rejection is respectfully requested.

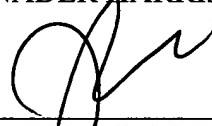


Claim Rejections – 35 USC §103

Claims 8-9 are rejected under 35 USC §103(a) as being unpatentable over Aginar or Draxler. These cancelled claims were directed to metal and plastic ribs, respectively. These elements are now presented in new claims 28 and 29. Again, as these claims depend on claim 17, which is not disclosed or suggested by the cited references, these claims are patentable over the references.

In light of the foregoing, we submit that the entire application is in condition for allowance, which is respectfully requested.

Respectfully submitted,
SCHNADER HARRISON SEGAL & LEWIS LLP

By: 

Jeffrey L. Eichen
Registration No. 41,496
1600 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
Telephone: 215-751-2650
Facsimile: 215-751-2205
E-mail: jeichen@schnader.com
Attorneys for Applicant

Dated: 9/24/03

RECEIVED
SEP 04 2003
GROUP 3600